

This is a repository copy of “Vertical drinking” in the night-time economy: Alcohol licensing and proxies for “uncivilised” drinking bodies.

White Rose Research Online URL for this paper:

<https://eprints.whiterose.ac.uk/id/eprint/203564/>

Version: Published Version

Article:

Meers, Jed orcid.org/0000-0001-7993-3062 (2023) “Vertical drinking” in the night-time economy: Alcohol licensing and proxies for “uncivilised” drinking bodies. Leisure Studies. ISSN: 1466-4496

<https://doi.org/10.1080/02614367.2023.2271181>

Reuse

This article is distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivs (CC BY-NC-ND) licence. This licence only allows you to download this work and share it with others as long as you credit the authors, but you can't change the article in any way or use it commercially. More information and the full terms of the licence here: <https://creativecommons.org/licenses/>

Takedown

If you consider content in White Rose Research Online to be in breach of UK law, please notify us by emailing eprints@whiterose.ac.uk including the URL of the record and the reason for the withdrawal request.

“Vertical drinking” in the night-time economy: alcohol licencing and proxies for “uncivilised” drinking bodies

Jed Meers

To cite this article: Jed Meers (18 Oct 2023): “Vertical drinking” in the night-time economy: alcohol licencing and proxies for “uncivilised” drinking bodies, Leisure Studies, DOI: [10.1080/02614367.2023.2271181](https://doi.org/10.1080/02614367.2023.2271181)

To link to this article: <https://doi.org/10.1080/02614367.2023.2271181>



© 2023 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.



Published online: 18 Oct 2023.



Submit your article to this journal [↗](#)



Article views: 193



View related articles [↗](#)



View Crossmark data [↗](#)

“Vertical drinking” in the night-time economy: alcohol licencing and proxies for “uncivilised” drinking bodies

Jed Meers

York Law School, University of York, York, UK

ABSTRACT

‘Vertical drinking’ is a longstanding concept in alcohol licencing decision-making and the literature on night-time leisure. As the term implies, it concerns drinking alcohol standing up. The proposition is simple: establishments where people stand to drink are associated with less desirable clientele, more drunkenness and a greater likelihood of crime and disorder. Existing research has explored how the concept of ‘Vertical drinking’ – known historically as ‘perpendicular drinking’ – can form part of heavily classed distinctions between ‘civilised’ and ‘uncivilised’ drinking practices. By examining 40 licencing hearings in England under the Licencing Act 2003, this paper demonstrates how vertical drinking serves as a: (i) proxy for ‘uncivilised’ drinking establishments, (ii) a proxy for problematic (working class) drinking bodies, and (iii) how the legal tool of the licence targets problematic drinkers by shaping the establishment in which they drink. Assumptions about problematic drinking bodies – this ‘vertical drinker’ – inform the regulatory distinction between ‘civilised’ and ‘uncivilised’ establishments.

ARTICLE HISTORY

Received 27 May 2023

Accepted 4 October 2023


Keywords

Vertical drinking; night-time economy; alcohol licencing; drinking establishments; Licencing Act 2003

Introduction

Alcohol licencing decision-making has long been concerned with how the physical environment of an establishment affects alcohol consumption and, in turn, crime and disorder. Seated service, the provision of food, empty floor space, and so on, all contribute to a licencing committee’s decision of whether to grant an alcohol licence for a premises under the Licencing Act 2003 (Grace et al., 2016). One issue has remained surprisingly resilient throughout the twentieth century and into the post Licencing Act 2003 landscape: whether patrons drink standing up or sitting down. Known as ‘vertical drinking’, it is striking how regularly studies of city centre alcohol consumption refer to this phenomenon (for but a few examples of many, see Hill et al., 2018; Jayne et al., 2008; Measham & Brain, 2005). The proposition is straightforward: establishments where people stand to drink are associated with less desirable clientele, more drunkenness and a greater likelihood of crime and disorder. Put simply, the perception is that ‘vertical drinking’ quickly renders you horizontal.

This paper is a detailed analysis of the role ‘vertical drinking’ plays in the alcohol licencing process. Drawing on an analysis of 40 recordings of Local Authority licencing hearings under the Licencing Act 2003, this paper argues that ‘vertical drinking’ is used by Local Authority licencing committees – and the lawyers, applicants, police and other stakeholders in the hearings – as a proxy for problematic working-class drinking bodies. Skeggs (as drawn on by Hubbard) underscores the

CONTACT Jed Meers  jed.meers@york.ac.uk  York Law School, University of York, York YO10 5GD, UK

© 2023 The Author(s). Published by Informa UK Limited, trading as Taylor & Francis Group.

This is an Open Access article distributed under the terms of the Creative Commons Attribution-NonCommercial-NoDerivatives License (<http://creativecommons.org/licenses/by-nc-nd/4.0/>), which permits non-commercial re-use, distribution, and reproduction in any medium, provided the original work is properly cited, and is not altered, transformed, or built upon in any way. The terms on which this article has been published allow the posting of the Accepted Manuscript in a repository by the author(s) or with their consent.

way in which the body is a ‘signifier of class’ (Hubbard, 2017, p. 101). ‘Vertical drinking’ – consuming alcohol while standing up – is a totemic ‘uncivilised’ drinking body, often associated with problematic ‘working class’ venues in city centres (Hubbard, 2017, p. 96). Applicants in this study sought to demonstrate how their proposed premises did not pose a threat to the licencing objectives by underscoring their lack of (or mitigations to reduce) ‘vertical drinking’ (i.e. by sitting drinkers down), or contrasting their premises with the foil of the ‘type’ or ‘nature’ of a ‘vertical drinking’ establishment.

The broader agenda here is to build on the arguments of Hubbard (2017), Hadfield (2006, 2009) and Haydock (2014) by demonstrating the heavily embodied nature of how the licencing process shapes drinking cultures. What emerges from these analyses is the use of ‘vertical drinking’ as a proxy for problematic working class drinking bodies as part of what Grace, Egan and Lock characterise as the ‘contested framing’ of alcohol establishments in the licencing process, particularly in city centres (Grace et al., 2016, pp. 79–80). As Cowan and Hardy have argued, citing Valverde (2003, pp. 144–149), the licence is a longstanding legal tool for governing crime and disorder at a distance (Cowan & Hardy, 2021, p. 43). By echoing historical concerns with ‘vertical drinking’, decision-makers in the licencing process are in turn shaping the urban environments in which people drink in an effort to prevent perceived problematic forms of alcohol consumption. A licencing committee can enforce a ratio of table and chairs, avoid empty blank spaces on venue plans and necessitate waiter service – they require the vertical drinkers to sit down. A detailed analysis of ‘vertical drinking’ therefore illustrates not only the heavily classed ‘contested framing’ of alcohol establishments in the licencing decision-making process, but also how licencing committees and key stakeholders in the licencing process target the reorientation of perceived problematic drinking bodies.

The argument is in three sections. The first examines the longstanding concern with ‘vertical drinking’ – known historically as ‘perpendicular drinking’ – rooted in the evolving ‘internal micro-geographies’ of drinking establishments. This section argues that drinking while standing came to be associated with problematic working class alcohol consumption and examines evidence on the relationship between ‘vertical drinking’ and crime and disorder. The second provides an outline of the Licensing Act 2003 and the hearing sample data. The final section argues that ‘vertical drinking’ serves as a (i) proxy for ‘uncivilised’ drinking establishments, (ii) a proxy for problematic (working class) drinking bodies, and (iii) that the legal tool of the licence targets problematic drinkers by shaping the establishment in which they drink.

Proxies, class and alcohol consumption: the problem with drinking standing up

In the UK, ‘vertical drinking’ has long been associated with problematic forms of alcohol consumption. This is in two literatures, split along the Janus-faced lines that Jayne, Valentine and Holloway argue characterise studies of alcohol consumption (2010). The first treats ‘vertical drinking’ as a practice ‘embedded in social and cultural relations’ (ibid). Here, drinking while standing is associated with working class, largely male drinking cultures. The second treats ‘vertical drinking’ as a ‘crime or policy problem’ (ibid). This section deals with each in turn.

The culture of vertical drinking

In the UK, ‘vertical drinking’ has long been associated with problematic forms of working class alcohol consumption. Concerns with drinking standing up are nothing new, nor are they confined to the UK alone. They have a provenance stretching back to at least the eighteenth century. Known historically as ‘perpendicular drinking’, drinking while standing was a target for regulators, licencing authorities, temperance campaigners, and the police across not just the United Kingdom but also Canada, the United States and Australia. In Campbell’s detailed interrogation of Vancouver’s Beer Houses in the early twentieth century (a book titled fittingly, *Sit Down and Drink Your Beer*) he

underscores that standing while drinking was expressly forbidden by state regulators (Campbell, 2001, p. 15). State authorities in 1930s Delaware prohibited ‘perpendicular drinking’ (Gourvish, 1997, p. 615), and the similar so-called ‘Public Bar Laws’ in nineteenth century Boston were lamented for costing liquor retailers thousands of dollars in ‘tearing out the existing fixtures and purchasing tables and chairs’ so their clientele could sit down (Duis, 1999, p. 55). Valverde details the requirement for women to be seated in drinking establishments in early twentieth century Massachusetts and regulations against being able to ‘stand and drink’ in Ontario and British Columbia (Valverde, 1998, p. 157). Judge Maxwell’s 1950s commission into Sydney’s watering holes concluded there was ‘a clear need for provision for drinking at tables or seated’ to rail ‘against what is described as perpendicular drinking’ (Kirkby & Luckins, 2006, p. 82). As one leading nineteenth century American temperance campaigner put it: ‘make a law that nobody shall drink standing, and you will do all that possible by law. . . I shall make the title “An Act Against Perpendicular Drinking”’ (Lewis, 1875, pp. 10–11).

Focusing on the UK, academic writing on the ‘culture of vertical drinking’ is tied inexorably to the evolving ‘internal microgeographies’ of drinking establishments (Kneale, 2022). Drinking while standing is a relatively recent phenomenon in Britain. Indeed, bars – in the modern sense of something to stand in front of to order a drink – only began to appear in public houses during the early nineteenth century (Barr, 1995, p. 177). This transition has been credited with changing consumption patterns in the wake of the so-called ‘Gin Craze’ of the 18th century, where the ‘segregated social harmony’ of traditional alehouses with ‘plenty of seating’ (Jackson, 2019, p. 9) gave way to ‘dram shops’ with standing bars for drinking on the premises (Barr, 1995, p. 177).

A detailed examination of the history of alcohol establishments here would leave room for little else (for a more detailed assessment, see Jennings, 2016; Nicholls, 2009). However, for our purposes, this evolution in the internal microgeography of public drinking spaces is important because this ‘dram shop element’ (Barr, 1995, p. 177) of drinking at the bar became associated with a problematic form of working-class alcohol consumption by contemporary commentators and in subsequent academic scholarship. As Ryder puts it in her study of bar and club internal design:

The retail revolution of the 1820s steered pub design towards that of the dram shop . . . leading to the introduction of the ‘bar’ in the public house While perpendicular drinking increased sales, it was also bound up with class. The lower classes drank publicly at the bar, while the better bred imbibed in the comfort of their own homes. (Ryder, 2006, p. 7)

These distinctions between the ‘lower classes’ perpendicular drinking and the ‘better bred’ undertaking more civilised forms of alcohol consumption are littered across the pub ethnography literature. As Fisher argues, the innovation of the strong wooden bar was ‘designed to withstand heavy use by a working-class customer that typically stood to imbibe’ (Fisher, 2012, p. 326) and in Rowntree’s seminal study at the turn of the 20th century, *Poverty*, he draws a distinction between casual drinkers and those ‘less respectable . . . perpendicular drinkers’ who drink standing at the bar (Rowntree, 1901, p. 310). More modern pub ethnographies also draw this same association between problematic working-class alcohol consumption and standing to drink. Smith’s influential 1985 study of a ‘rough working-class pub’ – where he observes of the regulars, ‘many were unemployed and looked it’ – notes how the ‘category of a rough pub evokes perpendicular drinking’ (Smith, 1985). Thomson et al.’s more recent 2018 study of ‘working class’ pubs echoes the same association between class and ‘vertical drinking’. An extract from an ethnographer’s notes observes:

Vertical drinking and watching sports appear to be the only activities on offer. I feel out of place. (Thompson et al., 2018, p. 1)

‘Vertical drinking’ is therefore a longstanding regulatory and academic concern, with the practice tied to a perceived problematic form of ‘working class’ alcohol consumption. The analysis of licencing hearings that follows explores how the concept of ‘vertical drinking’ is employed in modern licencing processes to help draw distinctions between civilised and uncivilised drinking

environments (Haydock, 2014, p. 181). However, before doing so, it is important to recognise that this cultural association between drinking while standing and problematic forms of working class alcohol consumption sits alongside a broader evidence base on vertical drinking as a cause of crime and disorder.

Vertical drinking as a cause of crime and disorder

Does evidence suggest that standing to drink leads to negative health and public order outcomes? This is the focus of the second strand of the literature on 'vertical drinking' as a 'crime or policy problem' (Jayne et al., 2008). There is a broad-ranging literature examining alcohol-led establishments (such as nightclubs) and resulting negative outcomes for public health, crime and disorder (Institute for Alcohol Studies, 2020). This section focuses more narrowly on direct references to 'vertical drinking'. Here, the Home Office's guidance, issued under s.182 Licensing Act 2003, states that 'previous research has demonstrated' the environment in 'vertical drinking' establishments 'can have a significant bearing on the likelihood of crime and disorder' (Home Office, 2014).

Two studies from the preceding 'Alcohol Harm Reduction Strategy for England' informed this assertion (as cited in Cabinet Office, 2004). The first was a large-scale observation study in Vancouver: over three months in 1978, researchers made over a thousand hours' of observations in drinking establishments (Graham et al., 1980). They tracked nearly a hundred variables, including patrons' 'dress' (the 'percentages of total patrons unkempt'), 'over-all atmosphere' (including the descriptor 'rough but friendly') and 'seating' (including 'standing room pub style' and various table layout descriptors) (ibid, 282). The impact of these variables on 'aggression' was explored: ranging from 'mild' (such as 'making derogatory remarks about the piano player under his breath') to 'extreme' (such as a woman having 'viciously poked' a man 'in the stomach with her pool cue') (ibid, 284). The study concludes that the inclusion of rowed tables significantly *increases* aggression and that the combined 'decorum' variables – such as 'table hopping' and 'people talking to themselves' – had a far greater effect on observed aggression than any aspect of venue design and layout (ibid).

The second study only refers in passing to seating when discussing the effective division of space, such as the erection of screens to support people flow within drinking establishments (Research, 1990). The report's main venue design recommendation is to avoid the use of 'red colours', especially when combined with 'hard, reflective surfaces', as they can 'induce aggression through heightened levels of arousal' (Research, 1990, p. 30). Indeed, the only direct references to 'vertical drinking' accompanying the strategy are from Government sources briefing the media on its contents or parliamentary debates on the resulting legislation. As a 'No 10 source' put it to *The Independent* just prior to the strategy's publication, the strategy unit had concluded that 'vertical drinking culture' was to blame, noting that:

It's very noticeable that places where you can sit down you don't have that culture of drunkenness. All Bar One is the sort of place where you don't get trouble (Woolf, 2003).¹

Notwithstanding that evidence specifically on 'vertical drinking' appears to be absent from studies informing the Licensing Act 2003, other more recent studies refer directly to 'vertical drinking'. In particular, these deal with the presence of tables and chairs; chiefly Hill et al.'s study of the 'functional taxonomy' of bar designs, highlighting the importance of the 'sit-on-ability' of objects (Hill et al., 2018). They conclude that as 'patrons who had no opportunity to sit were observed to stand and drink', policymakers should consider 'limiting or regulating the number of vertical drinking establishments in one geographical area' (ibid).

The study cites 11 sources referring to environmental factors that influence alcohol harms as the basis for this conclusion. Of these, three mention levels of seating or standing. The first concludes that that none of their variables on the physical environment in alcohol-led establishments, including the amount of seating, affected levels of violence once other factors were controlled for

(Homel & Clark, 1995). The second concludes that seating and table service were statistically *insignificant* predictors of customer intoxication once included in a multivariate analysis. Instead they underscore the importance of ‘permissiveness’ (a general indifference towards patrons’ behaviours by management) and the time of night as the strongest predictors (Hughes et al., 2012). The third refers to seating as one of 30 ‘physical environment’ factors that affects alcohol-related harm (Doherty & Roche, 2003, 29). However, their evidence refers only to problems associated with the *inclusion* of seating, particularly the use of furniture as weapons in bar room brawls, and issues that can arise with customer disbursement and congestion around fixed furniture (ibid).

Examining the evidence base suggests that studies that examine ‘vertical drinking’ specifically rarely isolate problems with drinking while standing. Instead, what emerges is a complex range of factors, from ventilation and venue management to even the colour of the walls, that are associated with negative outcomes. The task facing licencing committees is therefore complex and multi-faceted – it is not the case that ‘vertical drinking’ exists as a well-interrogated phenomenon in its own right, with strong evidence between the practice and negative social outcomes. Instead, many of these scientific studies themselves appear to use the term ‘vertical drinking’ in much the same way as the ethnographers cited above: as a catch-all term to refer to a cultural drinking practices associated with problematic drinkers or establishments.

The licencing committee hearings sample

Before turning to the licencing hearing data collected in this study, it is important to provide brief context on the licencing regime in England under the Licencing Act 2003. For our purposes, the 2003 Act heralded three key changes to the prior regime. First, in a substantial upheaval to the long-standing approach to licencing in England and Wales, premises licencing decisions are now taken by a committee of councillors convened at each Local Authority, instead of by local magistrates. Second, the Act heralded a lighter touch approach to the granting and ongoing review of licences. Ushering in a ‘continental drinking’ culture, with all the ‘anecdotal stereotyping’ that goes with it, was an explicit policy goal of the 2003 Act (Jayne et al., 2008, pp. 85–86). A key part of this liberalisation was a presumption in favour of the applicant that an alcohol licence would be granted (at least outside of ‘cumulative impact areas’, on which more below). Finally, the Act introduced a streamlined set of four licencing ‘objectives’ for when disputes do arise. Instead of a broad discretion to judge an application on its merits on a case-by-case basis, these Local Authority committees can only evaluate an application with reference to its impact on four criteria, outlined in s.4(2) Licencing Act 2003:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

Local authorities should only impose conditions or refuse licences where it is appropriate to promote at least one of the four licencing objectives. For instance, an authority may refuse an application for a late alcohol licence at an establishment in close proximity to residential properties, on the basis that it may undermine the aim of preventing public nuisance. Broad-ranging concerns not tied to the specific objectives do not ‘take proper account of the changed approach to licensing’ that the 2003 Act represents: instead, there must be ‘real evidence’ to suggest that granting a licence – or varying its terms – would jeopardise at least one of the objectives (see *R. (on the application of Daniel Thwaites Plc) v Wirral Borough Magistrates’ Court* [2008] EWHC 838 (Admin) [63]).

Importantly, however, Local Authorities have the power to adopt ‘cumulative impact assessments’ (CIAs) within their locality when they determine, following an impact assessment, that the

number or density of licenced establishments is inconsistent with the licencing objectives (see s.5A Licencing Act 2003, as amended by s.141 Policing and Crime Act 2017). In an area covered by a CIA, the onus is on the applicants to demonstrate how they will avoid prejudicing any of the four licencing objectives under s.4(2) Licencing Act 2003. Local Authorities must provide evidence to support the introduction of a CIA and consult with relevant stakeholders, such as the police, licenced premises and residents in the affected areas (see s.5A(2) and s.5A(5) Licencing Act 2003). Although touted as a way of reducing the density of alcohol establishments, evidence suggests their effect on licencing applications impact may in fact be limited (Sharpe et al., 2018, p. 268).

This study draws on data from licencing hearings undertaken by Local Authority sub-committees under the 2003 Act. Obtaining evidence of licencing hearings is ordinarily a laborious affair. Researchers either must attend in person or rely on minutes generated by Local Authority staff and the associated constellation of documents (Grace et al., 2016). In some cases, ‘mock licencing hearings’ have even been used, where participants in the licencing process are given simulated scenarios to respond to – allowing researchers to vary factors within these hypothetical cases (Mooney et al., 2016). However, as Local Authorities moved licencing sub-committee meetings online over the course of the COVID-19 pandemic, many (though not all) have in turn improved the transparency of the process by publishing recordings. As a result, for the first time, there are a considerable number of licencing hearing recordings available easily to the public and researchers.

The analysis that follows draws on a sample of licencing hearings that reference the phrase ‘vertical drinking’. Using YouTube search tools, transcripts of licencing hearing videos published by English and Welsh Local Authorities were identified that contained the phrase ‘vertical drinking’. Forty licencing committee hearings from across 22 Local Authorities are included in the sample – a total of 73 h and 50 min of recordings. The hearing transcripts were taken from YouTube and added to an Nvivo file. These hearing transcripts were then analysed thematically, with common themes identified and coded accordingly in Nvivo. In common with other studies of licencing committee hearings, the analytical approach was an inductive form of thematic analysis: themes were identified from the transcript data and coded accordingly (see Somerville et al., 2020, p. 326). This analysis was undertaken by one researcher, removing the need to co-ordinate coding practices across a larger research team. A full list of hearings that form part of this study are detailed in Table 1 (with the ‘CIA’ column noting whether a CIA is currently in place in the location of the applicant’s establishment). The recordings range from the May 2020 through to August 2021 from across twenty-two authorities. Almost all of the applicants in these applications were smaller-scale operators (i.e. restaurateurs, operators of clubs/bar chains with fewer than 5 establishments, or independent venue operators), as opposed to far larger operators – such as PubCos or large chains. Given the potential for the commercial clout of the operator to influence the licencing committee decision-making, this is a limitation of the sample. In the analysis that follows, recordings are referred to using the reference numbers detailed in this table.

There are three important caveats to the analysis that follows. First, as the sample only includes hearings that refer to ‘vertical drinking’, it is inevitably a narrow cross-section of the far broader licencing context. This is not a study of licencing decision-making more generally; it is instead an analysis specifically of how the concept of ‘vertical drinking’ is employed by actors in the licencing process. Therefore, the hearings in the sample relate to bars, restaurants, public houses, and hotels – not venues where ‘vertical drinking’ does not take place, such as applications for off-licences for shops. Other issues – be it noise, opening hours, location, and so on – are also discussed in the sample recordings, in common with existing research on licencing decision-making highlighted above (Grace et al., 2016). They are dealt with below only in-so-far as they relate to ‘vertical drinking’.

Second, all of the hearings in this sample took place across the course of the COVID-19 pandemic in the UK. In addition to the huge broader impacts on the hospitality and periods of forced closures, the pandemic also led to significant changes and easements to licencing controls across the period of the hearings, such as increased provision for pavement licences and off-

Table 1. List of the Local Authority licencing hearings in the research sample.

	Local Authority	Hearing Link	Hearing Date	CIA
1	Newham London	https://www.youtube.com/watch?v=cBi0XWT-Ls8	05/08/2021	Yes
2	Northumberland Council	https://www.youtube.com/watch?v=3fs0o18Xoh0	15/07/2021	No
3	Hammersmith & Fulham Council	https://www.youtube.com/watch?v=MR-97erAM6g	13/07/2021	No
4	Wirral Council	https://www.youtube.com/watch?v=BFly2s3ouVw	29/04/2021	No
5	Swansea Council	https://www.youtube.com/watch?v=XzC8Ni9Op-0	28/04/2021	Yes
6	Swansea Council	https://www.youtube.com/watch?v=cBKSexm6ck	28/04/2021	Yes
7	Camden Council	https://www.youtube.com/watch?v=WLoCv9EWQP5	27/04/2021	No
8	Scarborough Borough Council	https://www.youtube.com/watch?v=nfZ4DYe4LLE	23/04/2021	No
9	Camden Council	https://www.youtube.com/watch?v=tWGr988YkQ	15/04/2021	No
10	City of York Council	https://www.youtube.com/watch?v=ILoVk08ugg4	08/04/2021	Yes
11	Kensington & Chelsea	https://www.youtube.com/watch?v=3of4Eigv17w	25/03/2021	No
12	Bristol City Council	https://www.youtube.com/watch?v=rhaqr4i40PE	25/03/2021	No
13	City of York Council	https://www.youtube.com/watch?v=bbvKxPxyFo	01/03/2021	Yes
14	Newham London	https://www.youtube.com/watch?v=LAfeR0rad6k	18/02/2021	Yes
15	Hillingdon London	https://www.youtube.com/watch?v=rEVhwyFEI8	15/02/2021	No
16	Camden Council	https://www.youtube.com/watch?v=oONy-YV-FmA	04/02/2021	No
17	North Hertfordshire District Council	https://www.youtube.com/watch?v=L1C6cBCLcE	19/01/2021	No
18	Durham County Council	https://www.youtube.com/watch?v=Pz4o_gzjuxM	19/01/2021	No
19	Allerdale Council	https://www.youtube.com/watch?v=9uj722DdQZ0&t=1s	14/01/2021	No
20	Hounslow Council	https://www.youtube.com/watch?v=nHUIv7-OKbQ	22/12/2020	No
21	Hammersmith & Fulham Council	https://www.youtube.com/watch?v=AyB0t0zPuJU	16/12/2020	No
22	Scarborough Borough Council	https://www.youtube.com/watch?v=YLNT0ofSH_s	16/12/2020	Yes
23	City of London Corporation	https://www.youtube.com/watch?v=V-TtvGnKyEE	14/10/2020	No
24	Newham London	https://www.youtube.com/watch?v=tqs5HKQ8DMc	12/10/2020	Yes
25	Hackney Council	https://www.youtube.com/watch?v=OWojzKKClPo	06/10/2020	No
26	Camden Council	https://www.youtube.com/watch?v=fjZrxhfrdso	01/10/2020	No
27	Kensington & Chelsea	https://www.youtube.com/watch?v=nKudD6wYenQ	24/09/2020	No
28	Sutton Council	https://www.youtube.com/watch?v=AxtDBcMOoNo	10/09/2020	No
29	Leeds City Council	https://www.youtube.com/watch?v=ISy5ANon1pQ	21/08/2020	No
30	BCP council	https://www.youtube.com/watch?v=dVPAshRpHvc	19/08/2020	No
31	Camden Council	https://www.youtube.com/watch?v=UZswVX67zFA	06/08/2020	Yes
32	Camden Council	https://www.youtube.com/watch?v=ahHtgJX4v6A	16/07/2020	Yes
33	Dorset Council	https://www.youtube.com/watch?v=d4-CSERBEbs	15/07/2020	No
34	Hackney Council	https://www.youtube.com/watch?v=6Rh15G7SSqo	07/07/2020	No
35	Hackney Council	https://www.youtube.com/watch?v=ZdOXy5oBQVs	25/06/2020	No
36	Kensington & Chelsea	https://www.youtube.com/watch?v=fQ6vbJTEAAs	25/06/2020	No
37	Camden Council	https://www.youtube.com/watch?v=uJHLI5km3GA	25/06/2020	Yes
38	Kingston Council	https://www.youtube.com/watch?v=P59c7qQsOY	26/05/2020	No
39	Camden Council	https://www.youtube.com/watch?v=gsKDPfjVNDk	21/05/2020	Yes
40	Camden Council	https://www.youtube.com/watch?v=FXgBrp6n9b8	07/05/2020	Yes

licences (for an overview, see Fitzgerald et al., 2021). Hearings in the sample did make reference to the pandemic – particularly where applicants sought pavement licences. However, as outlined above, the analysis that follows draws on references to ‘vertical drinking’ specifically, and these representations were not tied to the pandemic. This is perhaps unsurprising given that the granting or individual conditions of these licences would endure in the wake of the pandemic, and that the high-profile restrictions imposed on hospitality were made across all venues, regardless of the particulars of their own licencing arrangements. The licencing committees in this sample were still assessing the 2003 Act objectives – not public health controls in response to the pandemic.

Finally, the focus of the analysis that follows is the role ‘vertical drinking’ plays in oral arguments to the committee, councillor deliberations, or in the discussion of licence conditions by Local Authority licencing officers. Local Authorities vary in their approach to the hearing recordings: some provide a full recording of the hearing and include councillor deliberations, some exclude councillor deliberations. The sample is inevitably, therefore, a snapshot of the licencing process for each applicant concerned. The following section turns to an analysis of references to ‘vertical drinking’ in these data, in dialogue with the literature outlined above.

Vertical drinking in the hearings sample

The analysis of these data illustrates how the term ‘vertical drinking’ is adopted in arguments by actors in the licencing application process and in the inclusion of terms within granted licences. The analysis is presented here in three sections: the use of ‘vertical drinking’ as part of the ‘contested framing’ of establishments (Grace et al., 2016, p. 79), how the term was associated with particular kinds of classed clientele, and the use of ‘vertical drinking’ in the imposition of licence conditions.

Vertical drinking as a proxy for an “uncivilised” establishment

Across the hearing sample, licencing committees used ‘vertical drinking’ as an indicator of the ‘type’ or ‘nature’ of the establishment and its clientele. This accords with Grace, Egan and Lock’s analysis of the ‘contested framing’ by applicants, the police, and licencing committee members of the ‘types of premises’ in licencing committee hearings (ibid).

An example of this can be found in a hearing in-front of Hammersmith & Fulham London Borough Council. The applicant’s legal representative argued that they were not ‘trying to turn the venue into a drinking, an all-night drinking, Wetherspoons with vertical drinking’ establishment (Hammersmith & Fulham Council, Hearing Number Three). *Wetherspoons*, a large pub chain operating across the UK, is totemic of a particular characterisation of problematic forms of working-class alcohol consumption. Hubbard dedicates much of his analysis of the shaping of the night-time economy to anxieties around the chain, suggesting that ‘the particular vehemence in which *Wetherspoons* appears to be held in certain quarters points to more fundamental anxieties relating to class and taste’ (Hubbard, 2017, pp. 98–101).

In the hearing, this parallel with *Wetherspoons* was challenged by a resident objecting to the award of a licence. The applicant’s legal representative later responded that there were not trying to start a ‘class war’:

Resident (objecting): ... the repeated reference to Wetherspoons, um and contrasting that with the kind of clientele that would drink at Riverside Studios, it seems to infer that somehow middle-class drinkers don’t make a noise when they’re drunk or when they’ve drunk alcohol in a way that working-class people do. I actually find that ludicrous and I find it offensive.

...

Applicant’s legal representative: ... I’ve specifically invited the clients to consider no vertical drinking [as a licence condition]. I understand one of the residents was concerned about, about my um, my parallel Wetherspoons. I wasn’t trying to start a class war, um the parallel I was trying to draw was when you go to Wetherspoons there is a lot of vertical drinking, as you know very well. These are not premises that want to have that type of activity or vertical drinking at all, it’s sit down and sit there with your friends and your family at a table with a waitress service ... (Hammersmith & Fulham Council, Hearing Number Three)

Here, ‘vertical drinking’ is coupled with this problematic *Wetherspoons* ‘type’ of establishment. The applicant seeks to use this characterisation as a foil to demonstrate how their own proposed operation avoids ‘that type of activity or vertical drinking at all’. Instead, their ‘sit down’ operation is presented as comparatively unproblematic for the licencing objectives. This excerpt echoes many of the arguments that Haydock raises on signifiers of civilised and uncivilised drinking establishments (2014) – here, the absence of ‘vertical drinking’ is used to project a more civilised framing of the proposed venue.

A second example illustrates how ‘vertical drinking’ can be determinative of a licencing application. Here, the London Borough of Camden (Hearing Thirty-Two) considered an unsuccessful application to, among other things, vary an alcohol licence to remove the existing condition: ‘vertical drinking is not permitted in the premises’. The plans for the premises detail a set of tables, an indoor ‘restaurant’ and outdoor ‘terrace’, both with their own bars (Figure 1):

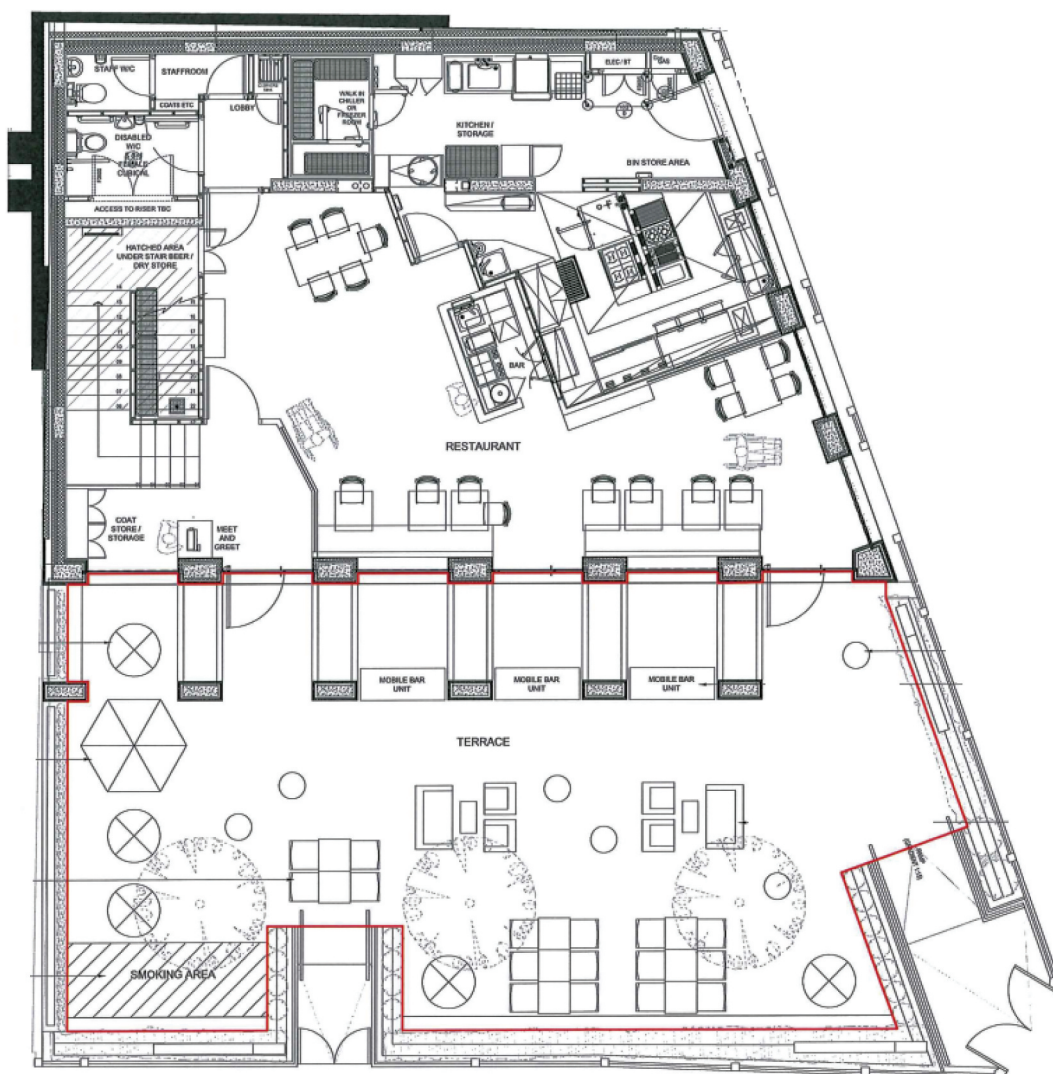


Figure 1. Excerpt from the agenda and reports for London Borough of Camden licensing sub-committee meeting on 16th July 2020. Available at: <http://democracy.camden.gov.uk/documents/g9624/Public%20reports%20pack%2016th-Jul-2020%2019.00%20Licensing%20Panel%20C.pdf?T=10>.

In the hearing, the applicant underscored that the capacity of the venue would not be changed and that seats would be available for all patrons. The issue was only whether patrons were able to consume alcohol while standing in the blank space in the venue plans (for instance, when moving from the bar in the restaurant to the terrace) or must drink seated. The applicant argued that allowing for a ‘degree of vertical drinking’ would not turn the venue into a ‘different beast’:

The applicant:

Given that it’s within fairly limited hours, it’s from fairly limited area, if we could have flexibility to have a degree of vertical drinking. If you were to grant that I would in no way shape or form think it is going to turn what is otherwise a restaurant into a bar and it’s suddenly a different nature or a different beast, it’s simply not accepted ...

What we are clear about is should you grant the application in full there will still remain enough seats within that area for the capacity of 66 to be fully seated, so it's not that we're going to change the nature of the area. Purely it means that if people are coming in and it's a nice day etc they can actually stand potentially and have a drink before they go to a seat. So there will still be seating for every single person that is allowed to be in that area. (London Borough of Camden, Hearing Number Thirty-Two)

When deciding to refuse this application, the committee were concerned about vertical drinking introducing a 'thin tip of a wedge' for the venue, and expressed implicit concern about their motivations for requesting any vertical drinking at all:

Councillor One:

I still think that allowing the introduction of vertical drinking even in this relatively small part of the establishment is still a step too far considering that in the past we've always gone the opposite direction ... I think that we would be frankly introducing a thin wedge on another thin tip of a wedge if we were to allow vertical drinking at all.

Councillor Two:

[The applicant] invited us to consider if we're not happy with 24 people vertical drinking would we be content with a smaller number?

Councillor One:

I don't know if I'm necessarily in a position to gauge which is the right number, which is the magic threshold number over which there is a threshold of some kind. I would be minded to keep it simple as possible, chair, for the licence and say simply there is no vertical drinking, period. And I have to say I'm rather surprised that the applicant cares so much for any vertical drinking at all, that leaves me a little bit, um, well let's just say that it seems odd to me that they want to introduce any element of vertical drinking at all in these circumstances ... (ibid)

The concern here is not with capacity differences between standing or sitting; this remains fixed at 66 persons regardless. Instead, the councillor's reference to the 'magic threshold' is rooted in a concern about vertical drinking changing the *nature* of the establishment. Councillor One's unease with the request to allow some vertical drinking, may be indicative of questioning the 'good faith' of the applicant in suggesting that this change to the licencing conditions would not result in an associated change to the nature of the venue (Grace et al., 2016, p. 80).

Another example from the London Borough of Hackney (Hearing Thirty-Five) illustrates the same point. Here, the licencing committee considered an unsuccessful application for an alcohol licence from a 'social club', stating that they cater to an older Turkish clientele and wish to offer alcoholic drinks alongside food. The plans of the premises detailed a series of tables, gaming machines, and a pool table, with blank space in between (Figure 2).

As reflected in the following exchange between the applicant and a councillor on the committee, although the venue capacity was fixed, the panel was concerned with the possibility for 'vertical drinking' within these blank spaces between the pool table, games machines and tables:

Councillor:

Will you put tables to accommodate 30 people, because I'm worried about vertical drinking?

Applicant:

Councillor, at the moment I have one pool table there, it's a big pool table, I'm planning to put another pool table to the side of it, so they'll be the table and chairs and no open floor there ... my aim is to make people play on the pool table and arcade games there.

Councillor:

Is that what your clientele want?

Applicant:

It be will kind of older, sometimes [to watch] the football games maybe middle-aged, but the reason I'm saying pool table is that people socialise with the pool table ... there is always tables and chairs in the area, so you could sit in there.

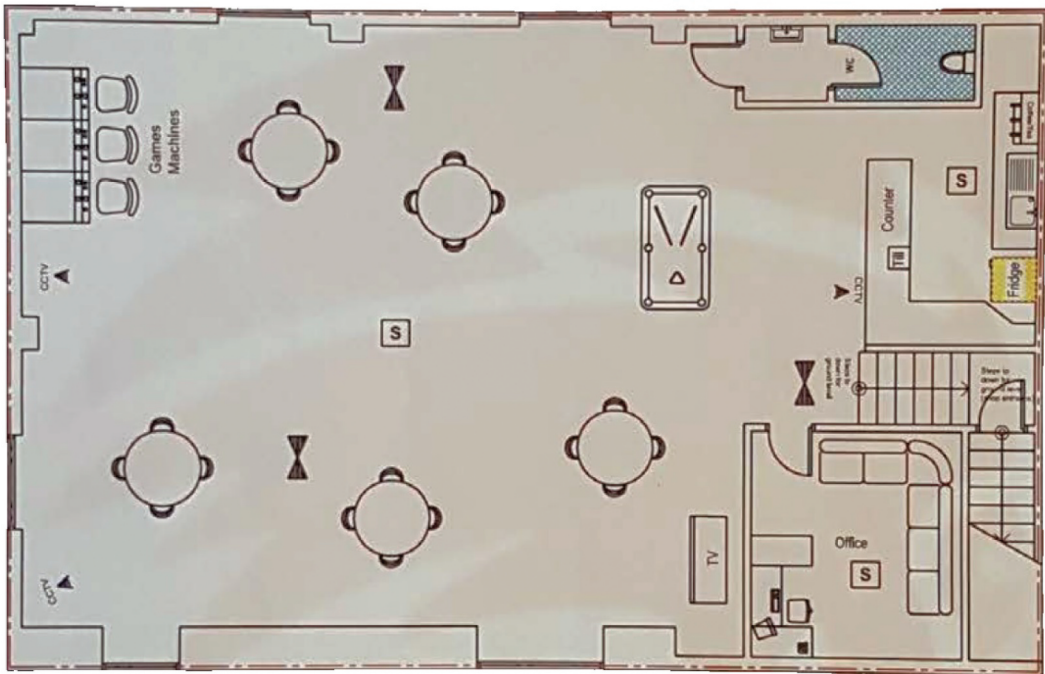


Figure 2. Excerpt from the agenda and reports for London Borough of Hackney licensing sub-committee meeting on 25th June 2020. Attained via email.

Councillor:

Chair, most of these people around the pool table and the slot machines are all standing though aren't they?

Applicant's representative:

Can I make a point please chair? Vertical drinking is people standing at a bar, drinking. You know, standing around in large groups ... It's not laid out like that. So yes, there might be somebody standing at a fruit machine, there might be a couple of people standing playing pool, there might be a couple of people watching them, but the majority of people in there will be sitting down at the tables and the bar itself isn't big enough to have enough people in there.

Councillor:

Vertical drinking doesn't have to happen at the bar, people could be standing around the edge of the tables. It seems to me that the applicant is trying to change the nature of this place. (London Borough of Hackney, Hearing Thirty-Five)

The representative's intervention seeks to frame this establishment's form of vertical drinking as non-problematic; setting it against a type of drinking associated with access to a bar and 'standing around in large groups'. The councillor instead reiterates her concern over vertical drinking anywhere in the premises, treating it as an indication that the 'nature of this place' is changing. Elsewhere in the hearing, the applicant's representative made a doomed effort to ameliorate concerns by stating that, 'if it gives the committee more comfort, we'll put some more tables in'. The committee refused the granting of an alcohol licence.

Vertical drinking as proxy for “uncivilised” clientele

In addition to being used as a proxy of the ‘type’ or ‘nature’ of an establishment, ‘vertical drinking’ was also associated with particular, less desirable patron characteristics. Applicants and their representatives used ‘vertical drinking’ as an indicator of a more problematic kind of clientele that they were seeking to avoid. This was tied to those aspects of ‘classed taste’ that Haydock identifies in licencing decision-making (Haydock, 2014, p. 180). Factors like the price of the drinks or the sophistication of the environment were used to illustrate to the committee that the proposed venue was not a ‘vertical drinking establishment’. In a hearing in-front of Swansea Council, the applicant’s legal representative argues that their proposed venue is not a ‘vertical drinking establishment’, but instead seeks to attract the ‘kind of people’ who are ‘more well behaved’.

Applicant’s representative:

... what where what we have here is increased seating, people eating, a different demographic dynamic, and isn’t that what we want for Wind Street? ... What we’ve sought to demonstrate and deliver as part of this application is a clear move away from the so-called high-volume vertical drinking establishment. Instead, we are delivering safety, comfort, food, all of which we say will be attractive to the kind of people who we can expect to be more well behaved. (Swansea Council, Hearing Six)

Applicants argued routinely that their premises could not be considered a ‘vertical drinking’ establishment as the drinks offer or environment was too ‘premium’. Echoing the arguments of Thurnell-Read that types of drinks can distinguish between ‘good’ and ‘bad’ drinkers (Thurnell-Read, 2017), the nature of the alcohol consumed – and particularly its cost or ‘high end’ nature – was used as evidence that the venue should not be considered a ‘vertical drinking’ establishment. Quotes from two hearings illustrate this:

Applicant:

This wine bar is very high end and an experienced bar and certainly not a vertical drinking establishment. Indeed it’s not expected that the bar will attract any rowdy drinking crowd and for ease I’ve put in images of the bar and indeed, the pricey menu list as it were (London Borough of Kensington & Chelsea, Hearing Twenty-Seven)

Applicant:

... there’s no intention of a vertical drinking establishment, there’s no intention of selling cheap alcohol. I’m sorry I didn’t get time to submit an example menu but the typical prices would be 20 pounds and up for a bottle of wine and I would imagine 10 pounds as a minimum for a cocktail. This is not going to be a cheap place to drink it’s somewhere for local people ... in the area sit down have a civilized glass of wine in peace and comfort (London Borough of Hackney, Recording C). (London Borough of Hackney, Hearing Thirty-Four)

Here, ‘pricey menus’ and ‘sit down ... civilized’ drinking, is set against the ‘rowdy drinking crowd’ and the ‘cheap place to drink’ of a ‘vertical drinking establishment’. These same associations between the type of clientele and vertical drinking is seen in Local Authority licencing policies, such as Cheshire East’s stated aim to ‘expand the early evening offer to introduce a new customer base and to reduce the reliance on vertical late night drinking’ (Cheshire East Council, 2020), or Warrington’s aim to ‘move away from high volume vertical drinking towards a broader, higher quality offer’ (Warrington Borough Council, 2020). Similarly, in a hearing in front of Scarborough Council, the applicant dissociates their waiter service-led establishment from ‘vertical drinking’ and the ‘sort of stand at the bar drinking venue’ associated with youth culture:

Applicant:

... there is no vertical drinking, it is all waiter service to the table ... and there was some reference to um you know alco-pops and sort of a young culture drinking. The entry level cocktails at Macy Browns start at £7, um you know we are very much serving food and high-end cocktails ... so you know it isn’t an alco-pop, young, sort of stand at the bar drinking venue, it’s very much a bit at the other end. (Scarborough Borough Council, Hearing Twenty-Two)

In common with the except from Hackney above, a specific price point (£7) and particular kinds of drinks ('cocktails') are referred to as evidence that the bar is not operating as a 'stand at the bar' kind of drinking venue. However, the hearing sample also contained broader references to 'atmosphere' and the 'environment' of the proposed venue:

Applicant's legal representative:

I think you can see from the plans, the amount of fixed booth seating that's around the premises ... we're offering to condition the licence in such a way that the premises has to have a minimum level of seating throughout on all the floors. I think you can see from the layout plans ... these premises only work and allow him to charge a premium on the food and drink being served if the atmosphere is correct. So having significant numbers of vertical drinkers would be self-defeating in a premises of this nature. It only works if people are sitting in the right environment, being served the right food and drink ... in this lovely environment. (York City Council, Hearing Ten)

This reference to the 'correct' atmosphere and the 'right food and drink' mirrors Haydock's findings that 'vertical drinking' is not only associated with alcohol consumed, but also the 'overall atmosphere' of an establishment (Haydock, 2014, p. 181). Here, applicants and their representatives are drawing on the longstanding classed connotations of 'vertical drinking' establishments (places where people 'pour lager down their throats' (ibid)) to argue that their own proposed establishment is more 'civilised' or 'premium', and therefore poses less of a threat to the licencing objectives.

Vertical drinking as a regulatory target: sitting drinkers down

In addition to functioning as a proxy for the nature of the venue and its clientele, licencing committees also introduced conditions to prevent or mitigate 'vertical drinking' by sitting patrons down. Across the hearings sample, the term 'vertical drinking' or measures intended to sit drinkers down are included routinely in the drafting of licence conditions. Although the exact wording of conditions varies across local authorities and individual licences, they all take one of two forms. The first seeks to prohibit or limit standing while consuming alcohol, either by referring directly to the practice of 'vertical drinking' or by requiring alcohol to be served only to seated patrons via waiter/waitress service. Both are illustrated in the same licence at Westminster City Council:

- (1) There shall be no vertical drinking of alcohol at the premises.
- (2) There shall be waiter/waitress service at the premises (City of Westminster, 2020).

These conditions can be tied to the provision of furniture itself, or particular 'zones' within a given establishment, such as these three conditions within a licence granted by the York City Council:

12. There shall be a minimum of 100 chairs/seats for customer use inside the premises at all times the venue is open to reduce the need for vertical drinking.

16. In Zones B and C:

- (a) The service of alcohol to customers shall be by waiter and waitress only;
- (b) Customers consuming alcohol must be seated;
- (c) No vertical drinking will be permitted (York City Council, 2016).

The second form is the imposition of conditions on the nature of the establishment. This approach is illustrated in another licencing condition imposed by York City Council:

The premises shall operate predominantly as a restaurant and off-licence, not as a bar or vertical drinking establishment, providing substantial food and non-intoxicating drinks at all times the premises are trading. (York City Council, 2018)

Within the hearings sample, direct discussion of ‘vertical drinking’ conditions with applicants was not widespread. Instead, committees would either impose conditions unilaterally based on their broader questioning of applicants, or adopt conditions suggested by the police or licencing officers, especially where the applicant had agreed these prior to the hearing. On those occasions where conditions were discussed, it was ordinarily an effort by the applicant to offer alternative conditions to re-assure the committee that their commitment to a non-vertical drinking establishment was not a façade. In a hearing in-front of the London Borough of Hammersmith and Fulham’s licencing committee, in response to concerns raised in written submissions by the police, the applicant agreed to the condition that alcohol ‘shall only be consumed by patrons seated at tables’. They stated that this was as follows:

Applicant: ... in order to safeguard the fact that for future it cannot be a bar, but for instance we have to serve food, um, with the drinks and everyone is seated and you do have to be. So it can’t turn into, to quote PC Cardwell “a vertical drinking establishment ... (Hammersmith & Fulham, Hearing Twenty-One)

While reiterating the imposed conditions at the conclusion of the hearing, the licencing officer refers to ‘future proofing’ of the premises:

Licensing officer: I’ve made a note of a few extra things you volunteered to do, there shall be no vertical drinking, there will be table service provided ... and a few other things and, um, hopefully you understand that when putting a licence together, uh, they will be looking to future proof the promises ... (ibid)

In a hearing before Bristol City Council’s licencing committee, an applicant resisted the imposition of a condition proposed by a residents’ community group prohibiting ‘vertical drinking’ in an outside space at the venue, given enforcement problems it would raise:

Applicant: ... there is no intention for vertical drinking to take place in that external drinking area, I want to be very clear about that and it will be managed to that effect by staff to the best of their ability, but a condition worded as the community group did suggest does have the potential to criminalize quite an innocuous act. So for example if someone’s outside drinking and they want to pop to the loo they might stand up to go to the loo but they might pick up their drink and drink it ... That act in itself would cause the operator to commit a criminal offence because someone would be standing while drinking

... but being mindful of that particular concern the applicant is happy to offer a condition to try and regulate customers’ behavior which we find is more proportionate and justifiable and that is a notice will be displayed requesting customers in the external seating area to remain seated when consuming drinks ... (Bristol City Council, Hearing Twelve)

After offering to erect a sign asking patron to remain seated while drinking to ‘regulate customers’ behaviour’, the applicant goes on to underscore that that ‘vertical drinking’ is not what the business ‘stands for’:

Applicant: ... it’s really important to me and this business that’s it not about having vertical drinking standing outside, I can guarantee you that. It’s, you know looking at the plans etc and what we stand for as a business, as Patrick pointed, out we’re very much a premium business. (ibid)

The use of and debate over licencing conditions seeking to sit drinkers down illustrates that ‘vertical drinking’ is not just a term used in the application process to distinguish between venue types, it is also something that is codified into the ongoing operation of venues. Types of conditions outlined above include the placement and movement of furniture, the requirement for table service to ‘reduce the need for vertical drinking’, or straightforward references to the venue not becoming a ‘vertical drinking establishment’. Where applicants contested such conditions in hearings, this was ordinarily to underscore their sincerity in not wanting to operate a ‘vertical drinking establishment’.

Conclusion

This paper has argued that ‘vertical drinking’ – the practice of drinking alcohol while standing – is a term used to distinguish between ‘civilised’ and ‘uncivilised’ drinking practices in alcohol licencing hearings, in turn shaping the physical spaces in which nightlife takes place. ‘Vertical drinking’ was used as proxy for both the type of establishment and for its likely clientele. The data suggests that applicants sought to demonstrate how their proposed premises did not pose a threat to the licencing objectives by highlighting steps to reduce ‘vertical drinking’ or contrasting their premises with the foil of a ‘vertical drinking’ establishment. Actors in the licencing hearings associated ‘vertical drinking’ with a less ‘discerning’, ‘premium’, and ‘civilised’ clientele. Licencing Committees in the sample discussed and imposed conditions sitting drinkers down, prescribing minimum ratios of tables and chairs, or preventing venues backsliding into ‘vertical drinking establishments’. ‘Vertical drinking’ was, therefore, part of the ‘contested framing’ of alcohol establishments in-front of licencing committees (Grace et al., 2016).

The arguments in this paper illustrate how alcohol licencing operates at a distance through ‘the establishment’ (Valverde, 1998, p. 151) to civilise drinking behaviour, not directly on the drinkers themselves. By shaping the physical environment in which drinkers drink (i.e. sitting drinkers down, imposing ratios of tables and chairs, and so on), or rejecting the licence applications of establishments where physical environments are deemed to contravene the licencing objectives, the alcohol licence can seek to shape drinking cultures in way deemed to be more ‘civilised’ and less problematic. By shaping these spaces, licencing is a fundamental component influencing the ‘embodied geographies of alcohol’ (Waite and Jong, 116) – the way people drink alcohol and get drunk – particularly in city centres. This paper demonstrates that ‘vertical drinking’ as a concept – tied historically to problematic forms of working class alcohol consumption – is implicated in this process as a proxy for this uncivilised, (generally) working class, problematic drinker.

More broadly, the arguments here demonstrate the importance of licencing law and process to ongoing academic debates on the embodied nature of alcohol consumption (Jayne et al., 2010, p. 548). Drinking is a heavily ‘embodied action’ (Thurnell-Read, 2013, p. 103) and the phenomenon of ‘vertical drinking’ demonstrates how licencing targets orientations of drinking bodies considered to be problematic. This is heavily classed. Skeggs (as drawn on by Hubbard) underscores the way in which the body is a ‘signifier of class’ (Hubbard, 2017, p. 101). This paper has shown how one such point of differentiation – ‘vertical drinking’ – can be adopted by actors in the licencing process to target one such problematic drinking body by shaping the environment in which they drink. The ‘vertical drinker’ can be forced to sit down.

Note

1. ‘All Bar One’ is a national chain of around 50 self-proclaimed ‘stylish city centre bars’ across the UK. They are owned and operated by Mitchells & Butlers, one of the largest bar operators in the UK.

Disclosure statement

No potential conflict of interest was reported by the author(s).

Notes on contributor

Dr Jed Meers is a Senior Lecturer in Law at York Law School, University of York, UK.

References

- Barr, A. (1995). *Drink*. Bantam Press.
- Cabinet Office. 2004. "Alcohol harm reduction Strategy for England." <https://www.fai.org/sites/default/files/documents/alcoholhar.pdf>
- Campbell, R. (2001). *Sit down and drink your beer: Regulating Vancouver's beer parlours, 1925-1954*. University of Toronto Press.
- Cheshire East Council. 2020. "Statement of licensing policy."
- City of Westminster. 2020. "Licensing sub-committee report." Available at: https://committees.westminster.gov.uk/documents/s36040/75%20Page%20Street%20Report_Redacted.pdf.
- Cowan, D., & Hardy, B. (2021). Governing canal life. *Journal of Law & Society*, 48(1), 40–59. <https://doi.org/10.1111/jols.12277>
- Doherty, S. & Roche, A. (2003). *Alcohol and licenced premises: Best practice in policing (Australasian centre for policing Research)*. https://popcenter.asu.edu/sites/default/files/problems/assaultsinbars/PDFs/Doherty&Roche_2003.pdf
- Duis, P. (1999). *The saloon: Public drinking in Chicago and Boston, 1880-1920*. University of Illinois Press.
- Fisher, F. (2012). Presenting the perfect pint: Drink and visual pleasure in Late Nineteenth-Century London. *Visual Resources*, 28(4), 324–339. <https://doi.org/10.1080/01973762.2012.732030>
- Fitzgerald, N., Manca, F., Uny, I., Martin, J., O'Donnell, R., Ford, A., Begley, A., Stead, M., & Lewsey, J. (2021). Lockdown and licensed premises: COVID-19 lessons for alcohol policy. *Drug & Alcohol Review*, 41(3), 533–545. <https://doi.org/10.1111/dar.13413>
- Gourvish, T. (1997). The business of alcohol in the US and the UK: UK regulation and drinking habits, 1914–39. *Business and Economic History*, 26(2), 609.
- Grace, D., Egan, M., & Lock, K. (2016). Examining local processes when applying a cumulative impact policy to address harms of alcohol outlet density. *Health & Place*, 40, 76–82. <https://doi.org/10.1016/j.healthplace.2016.05.005>
- Graham, K., La Rocque, L., Yetman, R., Ross, T. J., & Guistra, E. (1980). Aggression and barroom environments. *Journal of Studies on Alcohol*, 41(3), 277. <https://doi.org/10.15288/jsa.1980.41.277>
- Hadfield, P. (2006). *Bar wars: Contesting the night in contemporary British cities*. Oxford University Press.
- Hadfield, P., & Measham, F. (2009). Shaping the night: How licensing, social divisions and informal social controls mould the form and content of nightlife. *Crime Prevention and Community Safety*, 11(3), 219–234. <https://doi.org/10.1057/cpcs.2009.15>
- Haydock, W. (2014). The 'civilising' effect of a 'balanced' night-time economy for 'better people': Class and the cosmopolitan limit in the consumption and regulation of alcohol in Bournemouth. *Journal of Policy Research in Tourism, Leisure and Events*, 6(2), 172–185. <https://doi.org/10.1080/19407963.2014.900989>
- Hill, K., Pilling, M., & Foxcroft, D. (2018). Affordances for drinking alcohol: A non-participant observation study in licensed premises. *European Journal of Social Psychology*, 48(6), 747–755. <https://doi.org/10.1002/ejsp.2366>
- Homel, R., & Clark, J. (1995). The prediction and prevention of violence in pubs and clubs. *Crime Prevention Studies*, 3, 1–46. <https://research-repository.griffith.edu.au/handle/10072/12382?show=full>
- Home Office. (2014). *Revised guidance issued under section 182 of the licensing act*. <https://assets.publishing.service.gov.uk/media/5a7ec41de5274a2e87db1c52/RevisedGuidanceS182.pdf>
- Hubbard, P. (2017). *The battle for the high street retail gentrification, class and disgust*. Palgrave.
- Hughes, K., Quigg, Z., Bellis, M. A., Calafat, A., Hasselt, N. V., Kosir, M., Voorham, L., Goossens, F. X., Duch, M., & Juan, M. (2012). 'Drunk and disorganised: Relationships between bar characteristics and customer intoxication in European drinking environments. *International Journal of Environmental Research and Public Health*, 9(11), 4068–4082. <https://doi.org/10.3390/ijerph9114068>
- Institute for Alcohol Studies. 2020. *Crime and disorder in the night-time economy*, <https://www.ias.org.uk/report/crime-and-disorder-in-the-night-time-economy/>
- Jackson, L. (2019). *Palaces of pleasure*. Yale University Press.
- Jayne, M., Valentine, G., & Holloway, S. (2008). Fluid boundaries—British binge drinking and European civility: Alcohol and the production and consumption of public space. *Space and Polity*, 12(1), 81–100. <https://doi.org/10.1080/13562570801969473>
- Jayne, M., Valentine, G., & Holloway, S. (2010). Emotional, embodied and affective geographies of alcohol, drinking and drunkenness. *Transactions of the Institute of British Geographers*, 35(4), 540–554. <https://doi.org/10.1111/j.1475-5661.2010.00401.x>
- Jennings, P. (2016). *A history of drink and the English, 1500–2000*. Routledge.
- Kirkby, D., & Luckins, T. (2006). 'winnies and pats ... brighten our pubs': Transforming the gendered spatial economy in the Australian pub, 1920–1970. *Journal of Australian Studies*, 30(87), 75–86.
- Kneale, J. (2022). Good, homely, troublesome or improving? Historical geographies of drinking places, c. 1850–1950. *Geography Compass*, 15(3). <https://doi.org/10.1111/gec3.12557>
- Lewis, D. (1875). *Prohibition: A failure*. Osgood.
- Measham, F., & Brain, K. (2005). 'Binge' drinking, British alcohol policy and the new culture of intoxication. *Crime Media Culture*, 1(3), 262–283. <https://doi.org/10.1177/1741659005057641>

- Mooney, J., Sattar, Z., de Vocht, F., Smolar, M., Nicholls, J., & Ling, J. (2016). Assessing the feasibility of using health information in alcohol licensing decisions: A case study of seven English local authorities. *The Lancet*, 388(2), S79. [https://doi.org/10.1016/S0140-6736\(16\)32315-7](https://doi.org/10.1016/S0140-6736(16)32315-7)
- Nicholls, J. (2009). *The politics of alcohol: A history of the drink question in England*. Manchester University Press.
- Research, M. C. M. (1990). *Conflict and violence in pubs*. MCM Research Ltd.
- Rowntree, S. (1901). *Poverty: A study of town life*. Macmillan and Co.
- Ryder, B. (2006). *New bar and club design*. Laurence King.
- Sharpe, C., Poots, A. J., Watt, H., Franklin, D., & Pinder, R. J. (2018). Controlling alcohol availability through local policy: An observational study to evaluate cumulative impact zones in a London borough. *Journal of Public Health*, 40(3), e260–e268. <https://doi.org/10.1093/pubmed/idx167>
- Smith, M. (1985). A participant observer study of a 'rough' working-class pub. *Leisure Studies*, 4(3), 293–306. <https://doi.org/10.1080/02614368500390221>
- Somerville, L., Thom, B., & Herring, R. (2020). Public health participation in alcohol licensing decisions in England: The importance of navigating "contested space. *Drugs and Alcohol Today*, 20(4), 323–335. <https://doi.org/10.1108/DAT-05-2020-0025>
- Thompson, C., Milton, S., Egan, M., & Lock, K. (2018). Down the local: A qualitative case study of daytime drinking spaces in the London Borough of Islington. *International Journal of Drug Policy*, 52(1), 1–8. <https://doi.org/10.1016/j.drugpo.2017.11.019>
- Thurnell-Read, T. (2013). Yobs' and 'snobs': Embodying drink and the problematic male drinking body. *Sociological Research Online*, 18(2), 103–112. <https://doi.org/10.5153/sro.3000>
- Thurnell-Read, T. (2017). 'Did you ever hear of police being called to a beer festival?' discourses of merriment, moderation and 'civilized' drinking amongst real ale enthusiasts. *The Sociological Review*, 65(1), 83–99. <https://doi.org/10.1111/1467-954X.12361>
- Valverde, M. (1998). *Diseases of the will: Alcohol and the dilemmas of freedom*. Cambridge University Press.
- Valverde, M. (2003). *Law's dream of a common knowledge*. Princeton University Press.
- Warrington Borough Council. 2020. "Statement of licensing policy."
- Woolf, M. 2003. "No 10 Unit blames vertical drinking for the rise of the louts" (*The Independent*, 2003).
- York City Council. 2016. "Determination of an application by the botanist." <https://democracy.york.gov.uk/mgAi.aspx?ID=41519>.
- York City Council. 2018. "Application for a premises licence for 14 Lendal". <https://democracy.york.gov.uk/documents/s121770/Report%20-%20House%20of%20Trembling%20Madness.pdf>.